



## REMARKS

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1-2, 7-8, 10, 12, 14, 16-17, 20 and 22 have been amended. Claims 1-5 and 7-28 are pending.

RECEIVED  
MAR 21 2003  
GROUP 3600

### Claim Rejections - 35 U.S.C. § 102

Claims 1-3, 12-13, 16-19, 21 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 4,937,863 issued to Robert et al.

Claim 1 recites the following:

an electronic asset lending library database containing a plurality of user accounts and at least one license for an unused electronic asset loaned by a user having one of a plurality of user accounts;

an account manager to maintain the user accounts;  
an asset manager to maintain the license for the unused electronic asset; and  
a loan manager to control the borrowing of the license for the unused electronic asset by another user having another one of the plurality of user accounts.

Claim 12 recites the following:

managing a plurality of user accounts;  
managing at least one license for an unused electronic asset loaned by a user having one of a plurality of user accounts;  
controlling the borrowing of the at least one license for the unused electronic asset by another user having another one of the plurality of user accounts; and  
notifying the borrower when a loan to the borrower of the license for the unused electronic asset is approved.

Robert discloses a software licensing management system. The license management facility 10 maintains a license unit value for each licensed program and a pointer to a table identifying a license usage allocation unit value associated usage of the license program. In response to a request to use a licensed program, the license management facility determines whether the remaining license unit value exceeds the license usage allocation unit value

associated with the use. If the license unit value does not exceed the license usage allocation value, the license management facility permits usage of the license program and adjusts the license unit value by a function of the license usage allocation unit value to reflect the usage. (See col. 2, lines 11-24).

Robert does not disclose, teach, or suggest allowing a user having one of a plurality of user accounts to loan an unused electronic asset to another user having another one of the plurality of user accounts. This feature is recited in claims 1 and 12. Therefore, Applicants submit that claims 1 and 12 are not anticipated by Robert.

Claims 2-5, 7-11, and 13-15 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that Robert does not anticipate claims 2-5, 7-11, and 13-15 for at least the reasons set forth above.

Claim 16 recites the following:

- managing a plurality of user accounts;
- managing licenses for a plurality of unused electronic assets;
- receiving a request from a user of one of the plurality of user accounts to loan another unused electronic asset to another user of another of the plurality of user accounts;
- generating a license and associated license restriction for the another unused electronic asset according to the restrictions specified by the user requesting the loan;
- adding the license of the another unused electronic asset to the plurality of managed unused electronic assets; and
- controlling the borrowing of each license for the plurality of unused electronic assets by a borrower having one of the plurality of user accounts.

As discussed above, Robert discloses a license management facility that determines whether a license program may be operated by maintaining a license unit value for each licensed program and determining whether the remaining license unit value exceeds the license usage allocation unit value associated with the use. (See col. 2, lines 11-20).

Robert does not disclose, teach, or suggest allowing a user having one of a plurality of user accounts to loan an unused electronic asset to another user having another one of the plurality of user accounts. Furthermore, Robert does not disclose, teach, or suggest generating a license and associated license restrictions for the unused electronic asset loaned from the user of one of the user accounts and adding the license to the plurality of managed unused electronic assets. These features are recited in claim 16. Therefore, Applicants submit that claim 16 is not anticipated by Robert.

Claims 17-21 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that Robert does not anticipate claims 17-21 for at least the reasons set forth above.

#### Claim Rejections - 35 U.S.C. § 102

Claims 22-26 are rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 5,745,879 issued to Wyman.

Claim 22 recites the following:

managing a plurality of user accounts;  
generating a license and associated license restrictions for an unused electronic asset on a lending library server, the unused electronic asset loaned by a lender having one of the plurality of user accounts;  
displaying to a borrower having another one of the plurality of user accounts the license and associated license restrictions on a lending library client;  
receiving a borrower selection for the license and transferring the license to the borrower if eligible in accordance with the associated license restrictions; and  
transmitting to the borrower instructions for the installation of the unused electronic asset in compliance with the transferred license on the lending library client.

Wyman discloses a method for managing the execution of licensed programs. The system employs a license management method which establishes a management policy having a variety of simultaneously-available styles and contexts. A license server administers the license,

and each licensed product upon start-up makes a call to the license server to check whether usage is permitted. Upon receiving this call from a user, the license server checks the product user authorization to determine if the particular use requested is permitted, and if so, returns a grant to the requesting user node. (See col. 6, lines 15-27).

In Wyman's system, the user node can only make a request, identifying itself by user, platform, process, etc., and the license management facility calculates whether or not the license can be granted (that is, units are available for allocation), without the user node having access to any of the license data or calculation. (See col. 6, line 64 to col. 7, line 3).

Wyman does not disclose, teach, or suggest allowing a user having one of a plurality of user accounts to loan an unused electronic asset to another user having another one of the plurality of user accounts. Furthermore, Wyman does not disclose, teach, or suggest allowing the user/lender to set license restrictions for the borrowing of the unused electronic asset. Wyman does not disclose, teach, or suggest generating the license and associated license restrictions and transferring the license to an eligible user/borrower having another of the plurality of user accounts in accordance with the restrictions set by the user/lender. These features are recited in claim 22. Therefore, Applicants submit that claim 22 is not anticipated by Wyman.

Claims 23-28 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that Wyman does not anticipate claims 23-28 for at least the reasons set forth above.

#### Claim Rejections - 35 U.S.C. § 103

Claims 4-5, 7-11, 14-15, 20, 27, 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,937,863 issued to Robert et al and further in view of U.S. Patent No. 5,892,900 issued to Ginter et al.

As discussed above, claims 1, 12, 16, and 22 recite allowing a user having one of a plurality of user accounts to loan an unused electronic asset to another user having another one of the plurality of user accounts.

As discussed above, Robert discloses a license management facility that determines whether a license program may be operated by maintaining a license unit value for each licensed program and determining whether the remaining license unit value exceeds the license usage allocation unit value associated with the use. (See col. 2, lines 11-20). Robert does not disclose, teach, or suggest allowing a user having one of a plurality of user accounts to loan an unused electronic asset to another user having another one of the plurality of user accounts.

Ginter discloses a system for secure transaction management and electronic rights protection. The Office Action states that Ginter discloses an Access Control List and an electronic message for borrower notification. Whether or not Ginter discloses these features, Ginter does not disclose, teach, or suggest allowing a user having one of a plurality of user accounts to loan an unused electronic asset to another user having another one of the plurality of user accounts. Therefore, Ginter does not cure the deficiencies of Robert.

Neither Robert nor Ginter discloses, teaches, or suggests allowing a user having one of a plurality of user accounts to loan an unused electronic asset to another user having another one of the plurality of user accounts. This feature is recited in claims 1, 12, 16, and 22. Therefore, Applicants submit that claims 1, 12, 16, and 22 are patentable over Robert and Ginter.

Claims 2-5, 7-11, 13-15, 17-21, and 23-28 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that claims 2-5, 7-11, 13-15, 17-21, and 23-28 are patentable over Robert and Ginter for at least the reasons set forth above.

Conclusion

In view of the amendments and remarks set forth above, Applicants submit that claims 1-5 and 7-28 are in condition for allowance and such action is respectfully solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Date: 3/13/03

Lisa Tom

Lisa Tom  
Reg. No. 52,291

12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, CA 90025-1026  
(503) 684-6200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Director U.S. Patent and Trademark Office, Washington, D.C. 20231 on:

3/13/03  
Date of Deposit  
Annie Pearson  
Name of Person Mailing Correspondence  
Annie Pearson 3/13/03  
Signature Date